CITY OF MURFREESBORO BOARD OF ZONING APPEALS

Regular Meeting, January 22, 2020, at 1:00 p.m. City Hall, 111 West Vine Street, Council Chambers, 1st Floor

AGENDA

- 1. Call to order
- 2. Consideration of minutes for the regular meeting on December 19, 2019
- 3. New Business

Special Use Permit Request

- a. Application Z-20-001 by Mr. Clyde Rountree of Huddleston-Steele Engineering, Inc., representing Enterprise Holdings, Inc., requesting a special use permit in order to establish a motor vehicle sales and rental facility on property in the Commercial Highway (CH) district located along the south side of Franklin Road east of Franklin Heights Drive (the subject property is also identified as Tax Map 092O, Group B, Parcel 00200).
- 4. Staff Reports and Other Business
- 5. Adjourn

Regular Meeting Minutes of the Murfreesboro Board of Zoning Appeals

December 19, 2019 – 1:00 P.M. Council Chambers

MEMBERS PRESENT Davis Young, Chair Ken Halliburton, Vice-Chair Julie King Misty Foy MEMBERS ABSENT Tim Tipps

STAFF PRESENT
Jafar Ware, *Planner*David Ives, *Deputy City Attorney*Matthew Blomeley, *Acting Planning Director*Brenda Davis, *Recording Assistant*

Chairman Young called the meeting to order at 1:00 P.M.

The minutes from the November 21, 2019 regular meeting were approved as submitted.

New Business

Special Use Permit Amendment Request

Application Z-19-033 – by Mr. Scott Wyckoff representing WSP ERI Murfreesboro JV1, LLC, requesting an amendment to the existing special use permit for a self-service storage facility on property in the Commercial Fringe (CF) district located at 1932 Cason Lane. The proposed amendment seeks to allow additional area on-site for the outdoor parking and storage of recreational vehicles, trailers, cars, and boats.

Mr. Ware reviewed the application and staff comments. If the Board approves this request, Staff recommends the following conditions of approval:

- 1) A Type D buffer must be provided along the south lot line and along the west lot line (in between the outdoor storage expansion and Ashton at Salem Creek and the Salem Creek Church of Christ) in order to screen the expanded outdoor storage area.
- 2) A site plan must be submitted to the City for review and approval prior to the construction of the expanded outdoor storage area.

BZA Minutes Regular Meeting December 19, 2019

Mr. Matt Taylor of SEC, Inc., representing the applicant, was present to answer any questions.

Mr. Bloemely said Staff is recommending a Type D buffer along the western lot line in between the outdoor storage and the church and PRD. He said outdoor storage lots can generally be unsightly. The church, which is an institutional use, and the proposed townhomes are both lesser-intensity uses. Staff originally asked for a Type D buffer south of Building 7. However, Mr. Taylor corresponded with Staff in their interim after comments went out and provided evidence that there is not much of a viewshed between Cason Lane and where the outdoor storage is going to be. He said it is buffered by both distance and several areas of landscaping and burming. Staff concurred with Mr. Taylor that the buffering south of Building 7 really wasn't needed. He said Mr. Taylor has agreed to provide the Type D buffer west of the proposed storage area and to continue with the Type D buffer south of the proposed storage area. Mr. Blomeley said the existing outdoor storage area previously approved by the BZA is a permanent outdoor storage area. He said they are proposing this expansion of the outdoor storage area to be temporary until such time as market conditions warrant the construction of Buildings 8 and 9.

Mr. Matt Taylor stated that his client noticed a difference in the lease-up of the buildings themselves when the road construction along New Salem Highway 99 got underway. They think that once the road construction cleans up and it is easier to get around, it will pick right back up and his client will be able to request the building permits for Buildings 8 and 9.

Chairman Young opened the public hearing. There being no one to speak for or against the application, Chairman Young closed the public hearing.

Mr. Blomeley reiterated that the listed conditions of approval in the staff comments have been modified to eliminate the Type D buffer south of Building 7.

Mr. Halliburton asked if the reason Staff is doing that is because you can't see it.

Mr. Blomeley said Mr. Taylor sent him some exhibits by e-mail that showed the line of site to that area was very minimal and it appeared to be a moot point.

BZA Minutes Regular Meeting December 19, 2019

Ms. Foy made a motion to approve the request subject to the following conditions:

- 1) A Type D buffer must be provided along the south lot line and along the went lot line (in between the outdoor storage expansion and Ashton at Salem Creek and the Salem Creek Church of Christ) in order to screen the expanded outdoor storage area.
- 2) A site plan must be submitted to the City for review and approval prior to the construction of the expanded outdoor storage area.

The motion was seconded by Mr. Halliburton and carried unanimously in favor.

Staff Reports and Other Business

| Mr. | Blomeley | reminded | the | Board | beginning | next | month | we | will | be | going | paperl | less |
|------|-----------|----------|-----|-------|-----------|------|-------|----|------|----|-------|--------|------|
| with | the agend | as. | | | | | | | | | | | |

| Williams and | | |
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| The meeting adjourned at 1:10 P.M. | | |
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| CHAIRMAN | SECRETARY | |

MURFREESBORO BOARD OF ZONING APPEALS STAFF REPORT

January 22, 2020

Application: Z-20-001

Location: Franklin Road east of Franklin Heights Drive (Map 92O, Group B, Parcel 00200)

Applicant: Mr. Clyde Rountree of Huddleston-Steele Engineering, Inc., representing

Enterprise Holdings, Inc.

Owner: Mary White Bruce

Zoning: CH (Commercial Highway District)

Request: Special Use Permit to establish a motor vehicle sales and rental use



Overview of Request

Mr. Clyde Rountree of Huddleston-Steele Engineering, Inc., representing Enterprise Holdings, Inc., is requesting a Special Use Permit to establish a motor vehicle sales and rental facility located along the south side of Franklin Road east of Franklin Heights Drive. The subject property has a total area of 5.11 acres and is zoned CH (Commercial Highway District). Across Franklin road to the north is the Franklin Road Baptist Church property. Directly to the east is undeveloped land zoned CH and proposed to be developed with a gas station. Directly to the south and west are the Haverford and Franklin Heights single-family residential subdivisions, which are both located in the unincorporated County. Staff's primary concerns are 1) to adequately buffer the adjacent single-family residential properties to the east from the proposed use and 2) to ensure gate locations allow motorists to turn around if a vehicle cannot get through the gate(s) without having to back out into or impede one of the adjacent public streets.

Relevant Zoning Ordinance Sections

Chart 1 of the City of Murfreesboro Zoning Ordinance allows motor vehicle sales uses in the CH district only after the issuance of a Special Use Permit by the Board of Zoning Appeals. City of Murfreesboro Zoning Ordinance Section 9(D)(2)(ffff) sets forth standards for motor vehicle sales uses in addition to the Standards of General Applicability Section 9(C). The applicant states in his special use permit application letter that, in his opinion, the proposed use will be constructed in compliance with all of the above zoning requirements.

Staff Comments

The applicable standards are listed below with information from Staff on how the applicant intends to address them.

Standards of General Applicability with Staff analysis

1. That the proposed building or use will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, and utility facilitates, and other matters affecting the public health, safety and general welfare.

The applicant contends that this request complies with this standard and that adequate measures will be put in place to mitigate negative impacts on the adjacent residential neighborhood. He also mentions that there will be multiple access points in and out of this development to assist with traffic flow.

2. That the proposed building or use will be constructed, arranged and operated so as to be compatible with the immediate vicinity and not to interfere with the development and use of adjacent property in accordance with the applicable district regulations.

The applicant states that this request complies with this standard and that adequate measures will be put in place to mitigate negative impacts on the adjacent residential neighborhood, including the installation of buffering as well as limiting hours of operation.

3. That the proposed buildings or use will be served adequately by essential public facilities and services such as highways, streets, parking spaces, drainage structures, refuse disposal, fire protection, water and sewers; or persons or agencies responsible would provide such services.

The applicant contends, and staff agrees, that the proposed development will be adequately served by essential public services and facilities.

4. That the proposed building or use will not result in the destruction, loss, or damage of any feature determined by the BZA to be significant natural, scenic, or historic importance.

Neither staff or the applicant are aware of any feature or significant natural, scenic, or historic importance currently located on the property.

5. That the proposed building/use complies with all additional standards imposed on it by the particular provision of this section authorizing use.

The proposed motor vehicle sales/rental use will comply with the additional standards for motor vehicle sales. (See below for additional detail.)

Additional Standards for Motor Vehicle Sales (Automobile) with Staff Analysis

Motor Vehicle Sales (Automobile) uses shall be subject to the following additional standards:

[1] each lot used for automobile sales shall include a principal structure designed and constructed in accordance with the provisions of this article (Appendix A: Zoning) and all other applicable regulations and codes;

There will be a principal structure and car wash facility constructed on the lot. Both structures must comply with the Design Guidelines and the Zoning Ordinance and all other applicable ordinances. Should this Special Use Permit be approved, Staff will ensure that the development plans are fully compliant during the site plan review process. Proposed architectural elevations have been included in the agenda materials to show the applicant's intent. It should be noted, however, that the attached elevations are not final and will be subject to further scrutiny for compliance with the Design Guidelines during the site plan review process.

[2] in addition to meeting the minimum parking required in Chart 4 of this article (Appendix A: Zoning), supplementary parking spaces meeting the following requirements shall be provided for customers, employees, and service vehicles:

[a] customer parking shall be clearly designated via signage and striping and shall be provided at the following minimum ratios:

| Total number of vehicles on sales | Minimum number of customer |
|-----------------------------------|----------------------------|
| lot | parking spaces required |
| 201-250 | 8 |

The site plan submitted depicts parking spaces for 212 automobiles for sale and rent combined with 15 parking spaces provided for customers.

[b] one employee parking space shall be provided for each employee on the largest shift:

The site plan depicts 10 employee parking spaces to match the number of employees on the largest shift.

[c] one parking space shall be provided for each service vehicle;

The applicant has stated that no service vehicles will be used.

[d] all driveways and parking areas, including automobile storage and display areas, shall be surfaced with asphalt, concrete, or other hard dustless surface material. Bituminous surface treatments ("tar and chip") shall not be allowed on any driveway, automobile storage area, or parking lot.

According to the applicant, the parking area will have a concrete surface.

[e] Parking and display of automobile inventory shall occur only in areas designated in the special use permit application. Driveway aisles, public right-of-way, and landscaped areas shall not be used for automobile parking or display;

According to the applicant, inventory storage will only occur in the areas designated on the site plan.

[3] automobile parts and salvage/junk automobiles shall not be stored on any outdoors portion of the site;

According to the applicant, the subject property will comply with this standard.

[4] all automobiles visible from the public right-of-way or lying adjacent to any area zoned for residential uses shall be operational;

According to the applicant, the subject property will comply with this standard.

[5] tents and other temporary or accessory structures shall not be erected on the site except in accordance with the provisions of this article;

According to the applicant, the subject property will comply with this standard.

[6] outdoor sound amplification shall not be allowed;

According to the applicant, the subject property will comply with this standard.

[7] the following landscape buffers shall apply to automobile sales lots lying adjacent to residential, mixed use, and office zoning districts:

| Adjacent Zoning | Buffer Required |
|--------------------------------------|-----------------|
| RS-15, RS-12, RS-10, RS-8, RS-4, RD, | |
| RM-12, RM-16, RM-22, RS-A, | Type E |
| R- MO, MU, OG-R | 71 |
| OG, CU, P, CBD | Type D |

The subject property borders single-family residential subdivisions in the unincorporated County to the south and west. 20'-wide Type 'E' buffers are depicted on the site plan along both the west and south property lines, as required. In addition, a privacy fence is depicted along both of these property lines. The proposed privacy fence will not substitute for any of the plantings in the buffer; rather it will be *in addition to* the standard Type E buffer plantings. Standard perimeter planting yards shall be installed on the east and north property lines.

[8] all loading and unloading of automobiles shall be accomplished on-site. Automobile loading, unloading, staging, and maneuvering shall not be permitted within any public right-of-way. Loading/unloading areas shall be provided as follows:

- [a] each site used for automobile sales shall provide a loading/unloading area of 150 feet in length by 25 feet in width;
- [b] the required loading/unloading area shall not block or utilize any portion of the designated customer, employee, or service vehicle parking area(s) or any internal driveway as required by Section 26 of this article;

A 25' x 150' loading space is proposed at the south end of the site. It has been located so as not to conflict with any required parking stalls or driveways.

[9] fencing may be constructed in automobile inventory areas, provided that such fencing meets the following standards:

- [a] no barbed wire or razor wire shall be permitted;
- [b] chain-link fencing shall be plastic coated with black or green coating; and
- [c] chain-link fencing shall not be allowed along the perimeter of any automobile storage area lying adjacent to a public right-of-way;

A privacy fence is proposed to be installed along the west and south property lines in order to mitigate negative impacts on the adjacent residential neighborhoods. The gates are proposed to be standard pipe rail gates. According to the applicant, no chain-link fencing or barbed-wire fencing is proposed.

[10] automobile service bays and overhead service area doors shall not be visible from any public right-of-way;

Automobile service bays and overhead doors on the southernmost building are proposed to face the proposed public street to the east. They are proposed to be screened, however, by landscaping in the adjacent landscape island and in the perimeter planting yard.

[11] mechanical and other automobile services shall not be performed within 100 feet of any property zoned for residential use, regardless of any lesser minimum building setbacks;

The site plan demonstrates compliance with this standard.

[12] hours of operation shall be limited to "daytime hours" as defined in the Murfreesboro Noise Control Ordinance;

Hours of operation for this facility will be from 7am to 7pm, which fall within the acceptable hours, as defined by the Murfreesboro Noise Control Ordinance.

[13] the applicant shall provide a site plan showing all proposed structures, parking areas, automobile storage areas, landscaped areas, buffers, delivery/loading areas, and fencing. The site plan shall also indicate the maximum number of for-sale, for- rent, and/or for-lease automobiles that can be accommodated by the provided parking and storage areas;

A conceptual site plan has been provided by the applicant and is attached to this staff report. It shows that the site will have a maximum of 107 automobiles for sale and 105 automobiles for rent.

[14] where the requirements of this subsection exceed those of other subsections and exhibits in this article (Appendix A: Zoning), excepting Section 24 Article III, the standards set forth in this subsection shall supersede those subsections and exhibits; and

The applicant understands this standard.

[15] the Board of Zoning Appeals may require additional standards to ensure the ensure the compatibility of the automobile sales lot with other properties in the vicinity.

The applicant understands that the BZA may impose additional conditions.

Recommended Conditions of Approval:

If the Board approves this request, Staff recommends the following conditions of approval:

- 1. The design of the gates will be subject to the final review and approval of the Planning Department to ensure that there are adequate turnaround areas for vehicles and to ensure that vehicles will not be forced to back out into the public right-of-way.
- 2. A privacy fence shall be required along the south and west property lines. The privacy fence shall not be a substitute for any of the standard Type E buffer yard plantings; rather, it shall be *in addition to* the standard Type E buffer yard plantings.
- 3. The landscape screening plan for the overhead doors that are proposed to face the new public street shall be subject to final review and approval of the Planning Department prior to the issuance of building permits.

The applicant's representative will be in attendance to respond to any questions the Board may have.

Attached Exhibits

- 1) BZA Application
- 2) Applicant Letters
- 3) Conceptual Site Plan
- 4) Architectural Elevations
- 5) Gate Detail

1. BZA Application

| City of Murfreesboro BOARD OF ZONING APPEALS HEARING REQUEST APPLICATION | | | | | | | | |
|---|--------|------------------|--|--|--|--|--|--|
| Location/Street Address: Tax Map: 920 Group: B Parcel: 200 Zoning District: CH | | | | | | | | |
| Applicant: Extendence throwes - E-Mail: Address: 2/15 NW BRAD STREET Phone: 6/5. 843-40 City: MURSIEE SBORD State: 74. Zip: 37/2 | | | | | | | | |
| Property Owner: #RUCE MARY Address: 1024 homeus CIR. City: MURFIELSBORO | | 14 Zip: 37128 | | | | | | |
| Request: SECING EXCEPTION FOR CAR SACES IN CH ZOHIMG PISTONCT Zoning District: CH Applicant Signature: Clycle Parker Date: 1-3-2520 | | | | | | | | |
| Received By: Application #: | Receip | ot #: | | | | | | |



2. Applicant Letters



January 3, 2020

Board of Zoning Appeals City of Murfreesboro Planning Department 111 West Vine Street Murfreesboro, TN 37133-1139

RE: Tax Map 920, "B", Parcel 2.00

Dear Board of Zoning Appeals Members,

Our client, Enterprise Holdings, Inc., desire to build a used car sales/rental car facility at this location on Old Fort Parkway. After reviewing the criteria for the special exception requirement for car lots, we believe this site meets the criteria for our request.

Section 9 (D)

- (ffff) Motor Vehicle Sales (Automobile) shall be subject to the following additional standards:
 - [1] The principle structure and car wash facility will comply with design regulations as presented in the design guidelines and zoning ordinance, (Appendix A: Zoning), and all other applicable regulations and codes.
 - (ffff)[2] [a] The car lot will have a maximum of 209 cars for sale with the required 8 parking spaces for customers as stated in the table for car lots between 201-250 cars.
 - [b] The car lot will also have 10 employee parking spaces for the on-site employees on the largest shift.
 - [c] No service vehicles will be associated with this business.
 - [d] The parking area will be concrete.
 - [e] All parking of automotive inventory shall take place only in areas designated in the special use permit application.
 - [3] Automobile parts and salvage/junk automobiles shall not be stored on any outdoor portion of the site.
 - [4] All automobiles visible from the public right-of-way or lying adjacent to any area zoned for residential uses will be operational.
 - [5] Tents and other temporary or accessary structures will not be erected on the site except in accordance with the provision of the zoning ordinance.
 - [6] The will be no outdoor sound amplification used on the site.
 - [7] The site will have Type 'E' buffers on both the South and West property lines, perimeter Planting yards will be designed for the North and East property lines.
 - [8] All loading and unloading will be accomplished on site.
 - [a] The required 150 x 25 feet loading/unloading zone is shown on the concept plan.
 - [b] The loading/unloading zone does not block or utilize any portion of the designated customer, employee, or service vehicle parking area. The loading zone allows for uninhibited internal circulation.
 - [9] No fencing is being proposed on the concept plan.
 - [a] No bared wire or razor wire shall be used on the site.
 - [b] No chain-link fencing is being proposed on the site.
 - [c] No chain-link fencing is being proposed on the site.
 - The entrances to the site will be gated and a low containment rail will be used to prevent

vehicles from being able to leave the site through a landscape area.

- [10] Automobile service bays will face the new access drive to the east and will be screened by a landscape island.
- [11] Any mechanical and other automobile services will not be performed within 100 feet of any property zoned residential.
- [12] Hours of operation will be 7am to 7pm.
- [13] This letter is accompanied by a conceptual site plan with all the required items denoted.
- [14] To our understanding all requirements of this subsection has been meet.
- [15] It is understood that the Board of Zoning Appeals may require additional standards to ensure the compatibility of the automobile sales lot with other properties in the vicinity.

Thank you for considering our request. If you have any questions or concerns, or if you would like any additional information, please do not hesitate to contact me at any time.

Sincerely,

Huddleston-Steele Engineering, Inc.

Clyde Rountree, RLA

Planner



Standards of General Applicability

January 15, 2020

Board of Zoning Appeals City of Murfreesboro Planning Department 111 West Vine Street Murfreesboro, TN 37133-1139

RE: Tax Map 920, "B", Parcel 2.00

Dear Board of Zoning Appeals Members,

Our client, Enterprise Holdings, Inc., desires to build a used car sales/rental facility at this location on Old Fort Parkway. After reviewing the criteria for the special exception requirement for car lots, we believe this site meets the criteria for our request.

Section 9 (C) Standards of general applicability

- (1) The proposed building will not have a substantial or undue adverse effect upon the adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities, and other matters affecting the public health, safety, and general welfare. Type "E" buffers are planned for the southern and eastern property lines against property zoned residential.
- (2) The proposed building will be constructed and used so as to be compatible with the immediate vicinity and will not interfere with the district regulations. The building operating hours will be from 7am to 7pm. The development will have three exit points to distribute all traffic onto and off the site.
- (3) The proposed building will be served adequately by essential public services including streets, refuse disposal, fire protection, water, and sewer.
- (4) The proposed building will not result in the destruction, loss, or damage of any feature determined by the BZA to be of significant natural, scenic, or historic importance.
- (5) The proposed building or use complies with all additional standards imposed on it by the particular provision of this section authorizing such use.

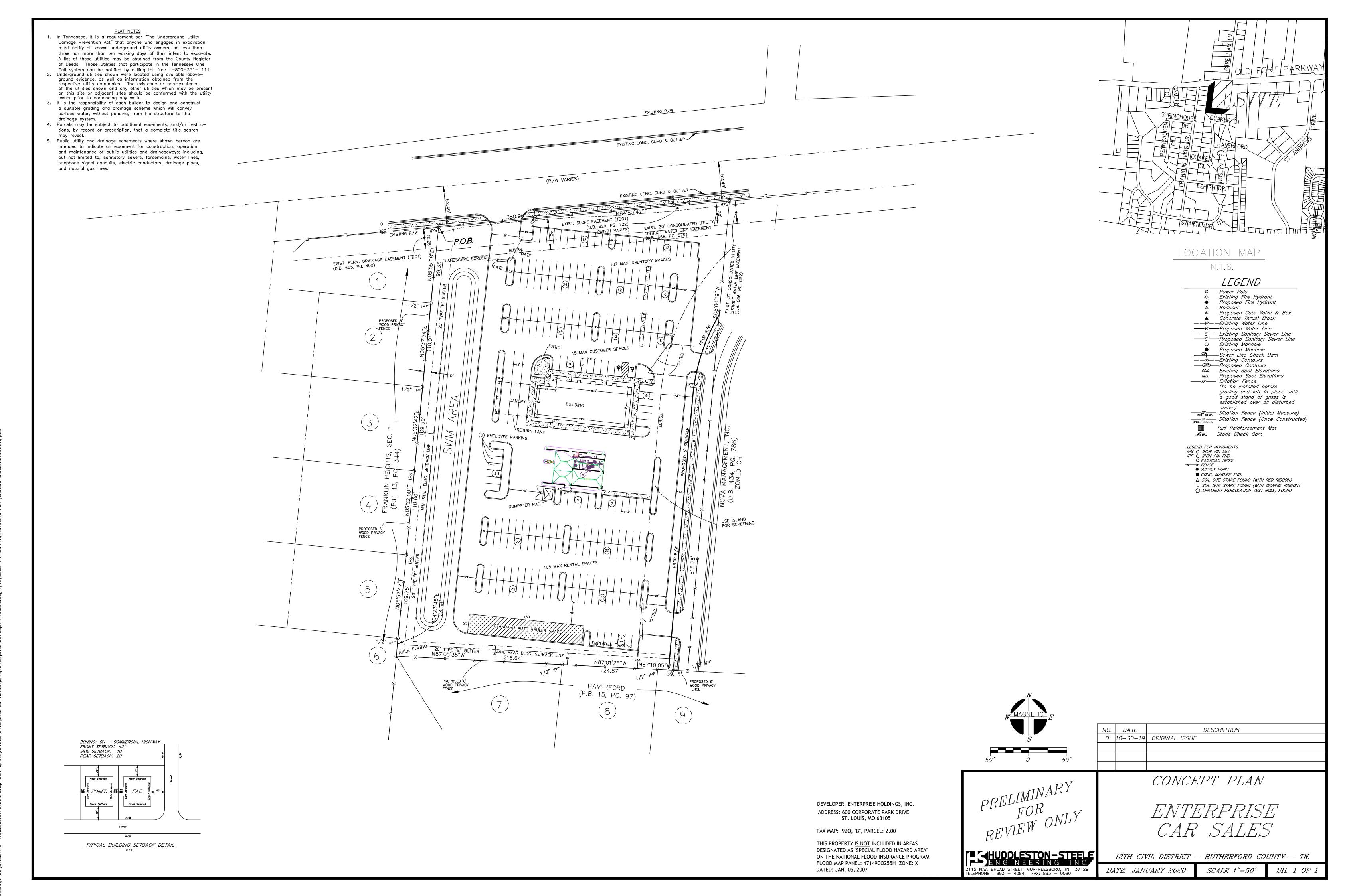
Thank you for considering our request. If you have any questions or concerns, or if you would like any additional information, please do not hesitate to contact me at any time.

Sincerely,

HUDDLESTON-STEELE ENGINEERING, INC.

Clyde Rountree, RLA

Planner





3 FRONT/NORTH ELEV

SCALE: 1/8" = 1'-0"

EXTERIOR MATERIALS:

DARK BRONZE ALUM FRAMES, CLEAR INSUL GLASS

DOWNSPOUTS/SCUPPER HEADS LIGHT TAN

EIFS CORNICE MATCH SW 7005 PURE WHITE

BODY BRICK (B1) BRAMPTON BRICK LINEN MODULAR ARCH SERIES

ACCENT BRICK (B2) CHEROKEE MS VELOUR LIGHT GRAY

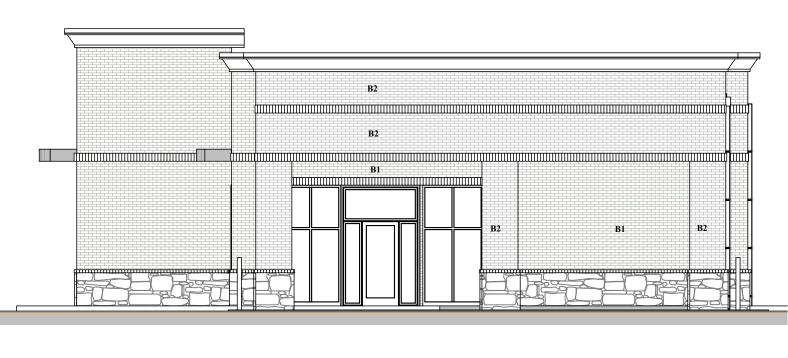
CULTURED STONE CAP COURSE

CULTURED STONE

CENTURION, Pattern #150 Ledgestone, color #260 Kentucky.

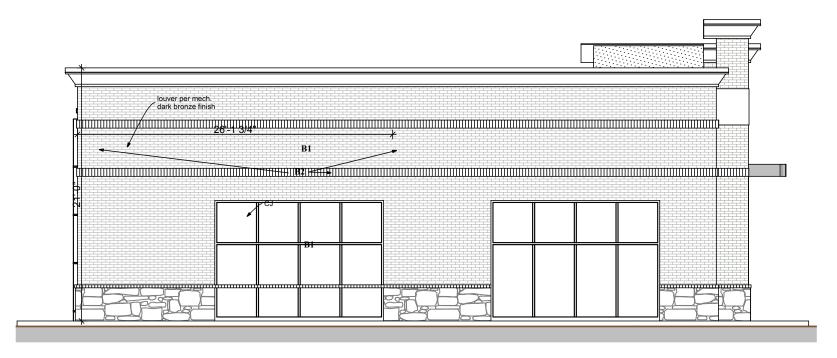
REAR ELEVATION (1)

SCALE: 1/8" = 1'-0"



RIGHT/WEST ELEVATION

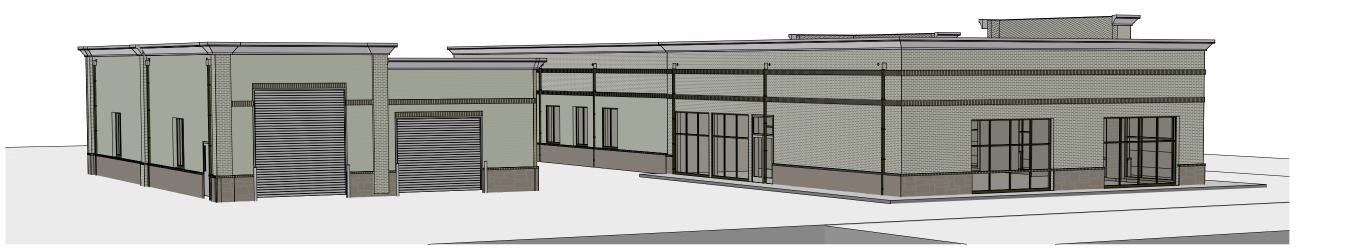
SCALE: 1/8" = 1'-0"



2 LEFT/EAST ELEVATION

SCALE: 1/8" = 1'-0"





Enterprise Rent A Car Old Fort Parkway Murfreesboro, TN 37129 New Buildings

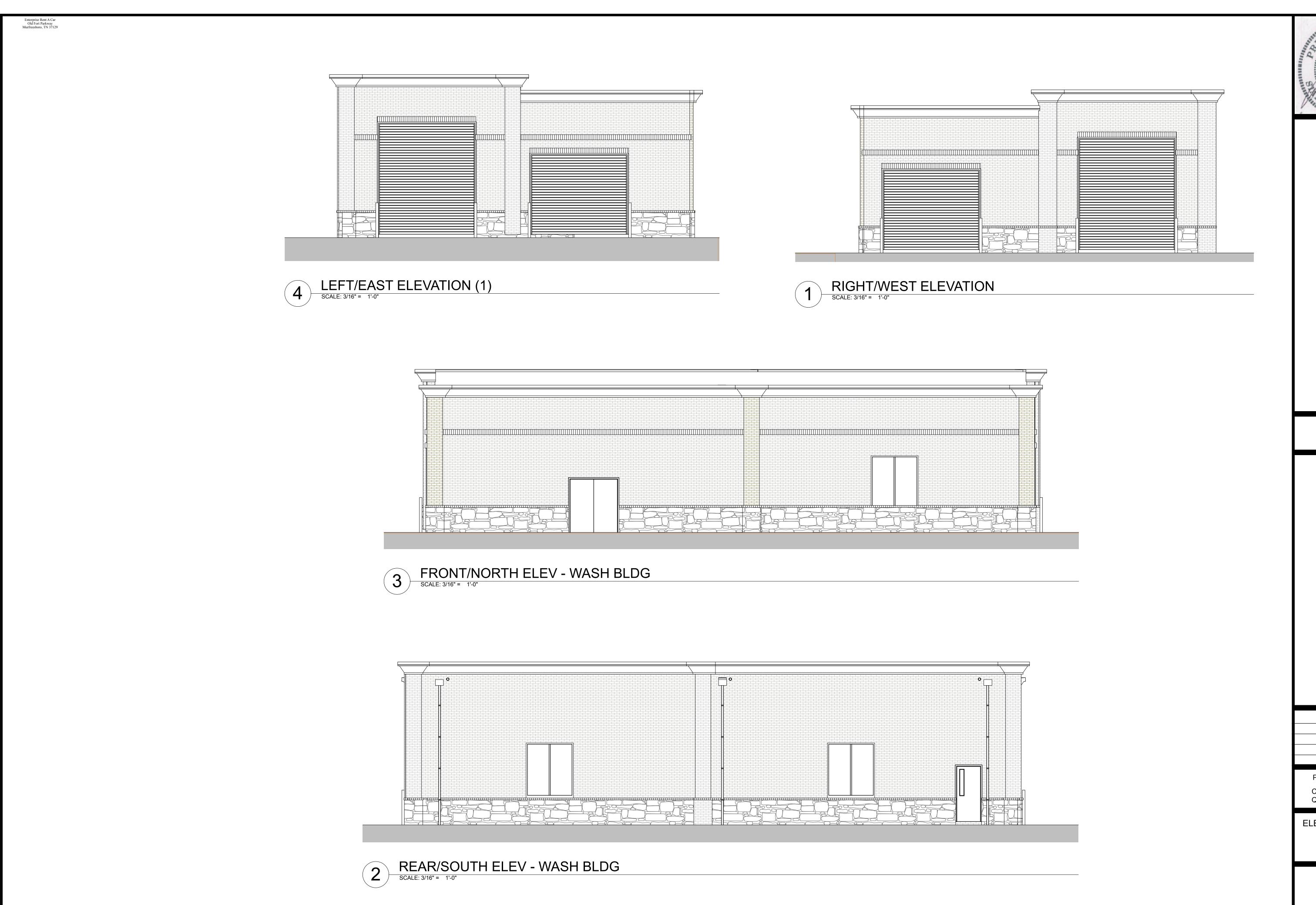
QUIRK DESIGNS

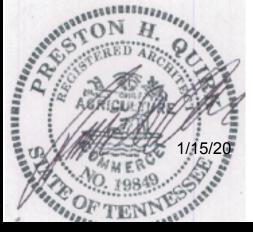
DATE: 1/15/20 REVISION

PROJECT NO: 19-100 COPYRIGHT 1/15/20 QUIRK DESIGNS

ELEV'S - RENTAL OFFICE

A1





QUIRK DESIGNS Phone: (615) 269-9248 email: quirkdesigns@cor

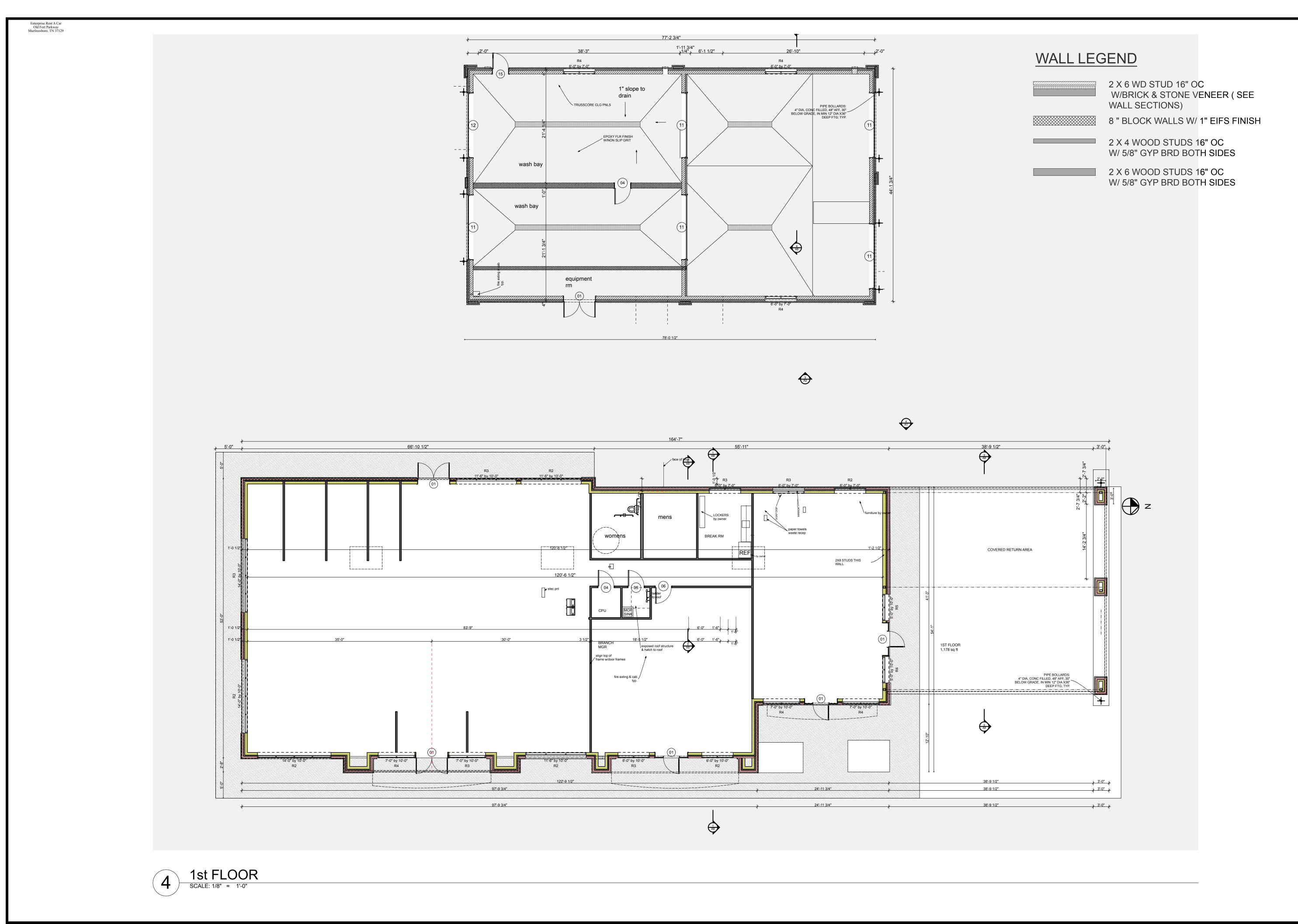
New Buildings
Enterprise Rent A Car
Old Fort Parkway
Murfreesboro, TN 37129

DATE: 1/15/20 REVISION

PROJECT NO: 19-100 COPYRIGHT 1/15/20 QUIRK DESIGNS

ELEV - WASH BLDG

A2



ABAICULA 1/15/20

QUIRK DESIGNS Phone: (615) 269-9248 Fax: (6 email: quirkdesigns@comcast

New Buildings
Enterprise Rent A Car
Old Fort Parkway

DATE: 1/15/20 REVISION

PROJECT NO: 19-100 COPYRIGHT 1/15/20 QUIRK DESIGNS

FLR PLAN - OFFC & WASH BLDG

A3

